



9405 SW Gemini Drive, Beaverton, OR 97008 USA
T. +1 503.469.4800 F. +1 503.469.4777 www.digimarc.com

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OCT 22 2004

FACSIMILE TRANSMITTAL

DATE: October 22, 2004

RE: U.S. Patent Application No. 09/697,780

TO: Mail Stop Amendment

FILED: October 26, 2000

FAX: 703-872-9306

FOR: METHOD AND SYSTEM FOR INTERNET
ACCESS

FROM: William Y. Conwell

ART UNIT 2151

PAGES: 2 (including this page)

DOCKET NO.: 60320

☒ Urgent

☐ For Review

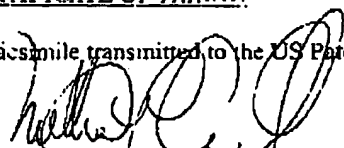
☐ Please Reply

FACSIMILE COVER LETTER

Attached is a Response for the above application. No fee is believed due, however please charge any fees which may be required in connection with filing this Response and any extension of time, or credit any overpayment, to Deposit Account No. 50-3284.

CERTIFICATE OF FAXING:

I hereby certify that these papers are being facsimile transmitted to the US Patent Office, 703-872-9306 on October 22, 2004.


William Y. Conwell/Reg. No. 31,943
Attorney for Applicant

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WYC:Imp 10/22/04 60320

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Davis et al.

Application No.: 09/697,780

Filed: October 26, 2000

For: METHOD AND SYSTEM FOR INTERNET
ACCESS

Examiner: F. Jean

Date: October 22, 2004

Art Unit 2151

Confirmation No. 5578

CERTIFICATE OF FAXING

I hereby certify that these papers are being facsimile
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October 22, 2004.William Y. Conwell, Reg. No. 31,943
Attorney for ApplicantRESPONSEMail Stop AMENDMENT
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Sir,

Responsive to the Restriction Requirement mailed October 1, 2004, applicants respond as follows.

Applicants elect to pursue the claims of group I, with traverse.

It is not clear that the Office has met its *prima facie* burden of showing that the respective sets of claims are both independent and distinct. For example, it appears that claims 19-23 (Group II) could properly be classified as "drawn to usage and charge determination" (Group I).

Likewise, the subject matter of claims 24-29 and 30-31 appear to be closely related.

Moreover, even if the claims are independent and distinct, it is not believed that maintaining all claims in a single application would be unduly burdensome on the Office. Accordingly, withdrawal of the restriction requirement is solicited.

If the restriction requirement is made final, applicants authorize the Examiner to cancel the non-elected claims by Examiner's Amendment.

Date: October 22, 2004

CUSTOMER NUMBER 23735

Phone: 503-469-4800
FAX 503-469-4777

Respectfully submitted,

DIGIMARC CORPORATION

By

William Y. Conwell
Registration No. 31,943